SIKKIM

GOVERNMENT GAZETTE

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GOVERNMENT OF SIKKIM
LAW DEPARTMENT
GANGTOK

No: 10/LD/P/2008 **Date:- 10.07.2008**

NOTIFICATION

The following Act passed by the Sikkim Legislative Assembly and having received the assent of the Governor on 28th day of June, 2008 is hereby published for general information:-

THE SIKKIM DISTRICT BASED ENTERPRENEURS AND PROFESSIONALS INCENTIVE, DEVELOPMENT AND PROMOTIONAL ACT 2008

(ACT No. 10 of 2008)
AN
ACT

to provide for incentive development and promotion for the district based entrepreneurs and professionals.

Be it enacted by the Legislature of Sikkim in the Fifty-ninth Year of the Republic of India as follows:-

Short title, extent and commencement.

1. (1) This Act may be called The Sikkim District Based Entrepreneurs and Professional Incentive, Development and Promotional Act, 2008.

(2) It extends to the whole of Sikkim.

(3) It shall come into force on such date as the State Government may by notification in the Official Gazette appoint.

Definition

2. In this Act unless the context otherwise requires:-

(a) "Act" means The Sikkim District Based Entrepreneurs and Professionals, Incentive, Development and Promotional Act, 2008.

(b) "District Based Entrepreneurs and Professionals means and includes any person who is involved in activity of execution of developmental/welfare project of the Government and includes Architect, Engineers, Contractor, Doctors etc. but does not include any Government official.

Note: The person must be local having Sikkim Subject Certificate or Certificate of Identification and is an ordinary resident of the district.

Preference to district based entrepreneurs and professionals.

3. (1) The State Government may in its developmental and Welfare oriented projects in a district give preference to the district based entrepreneurs and professionals to secure equitable distribution of State Developmental work among different entrepreneurs including small and marginal district based entrepreneurs in project works upto or involving such amount as may be specified by notification.

(2) The State Government may for such purpose of promotion of district based entrepreneurs and Professionals lay down such eligibility criteria or guidelines as may be prescribed as it may deem fit for the purpose of availing such benefits by the eligible person.

(3) Any person who is found eligible to avail such promotional incentive and scheme could be considered for price/call advantage/ consideration ranging from 3% to 5% over others or upto such extent as may be specified by notification.
Provided that in matters of technical competence or capability in the standard of work there shall not be any compromise.

(4) The State Government may also lay down such other norms as may be prescribed in this behalf for effective implementation of promotional schemes.

Designated Authority.

4. (1) The State Government shall designate such officer or authority to evaluate and monitor implementation of the provisions of the Act to ensure greater participation by district based entrepreneurs and professionals as part of government policy of ensuring decentralization of developmental activities and greater participation of people in all corners of the State.

(2) The authority shall work for such period as may be provided by rule and it shall be the duty of the authority to suggest ways and means from time to time for implementation of the scheme under the Act.

Power to make rules.

5. The State Government may by notification make rules for carrying out the provisions of the Act.

BY ORDER.

R. K. PURKAYASTHA,SSJS
LR-cum-SECRETARY
LAW DEPARTMENT